

1771

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HENKEL CORPORATION
2500 Renaissance Boulevard
SUITE 200
GULPH MILLS, PA 19406

DATE August 13, 2004

TO:
Name: Commissioner for Patents

From:
Name: Daniel Ortiz

Location: Washington, DC

Location: Gulph Mills, PA

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FORMAL PAPERS

NUMBER OF PAGES 10 INCLUDING THIS COVER PAGE.

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Docket No. M 6817
SN: 09/891,568
Art Unit: 1771
Confirmation No. 1960

Enclosure:

1. Request for Extension of Time – 1 page
2. Response – 2 pages
3. Declaration – 2 pages
4. Manco Quality Assurance Report – 1 page
5. Quality Assurance Testing Procedures – 3 pages

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PATENT

Case M 6817 HADH

AUG 13 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of
Sobonya et al.

Confirmation No. 1960

OFFICIAL

Serial No. 09/891,568

Examiner: U. C. Ruddock

Filed: June 26, 2001

Art Unit: 1771

Confirmation No. 1960

TITLE: COMPOSITE SHEET MATERIAL

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents on the date shown below.

August 13, 2004
Date

Mary Lynne Carlisle

Signature of certifier

Mary Lynne Carlisle

Typed or printed name of certifier

RESPONSE

Mail Stop Amendment
Commissioner of Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Official Action dated April 15, 2004, Applicants respectfully request that the rejection be reconsidered in light of the following discussion.

Claims 1-3, 7-11, 14 and 17-22 stand rejected under 37 USC 103(a) as being unpatented over Calkins publication No. 2002/014509A1; (hereinafter Calkins).

Calkins has a filing date of April 5, 2001. Applicants herewith submit a Declaration by Elizabeth Flores showing that Applicants were in possession of the invention, as claimed, before April 2001 and the United States filing date of Calkins.

Serial No. 09/891,568
Art Unit: 1771

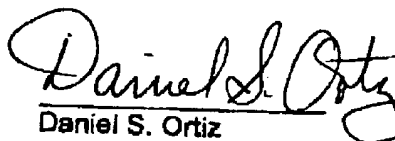
In view of the Declaration, Applicants submit that Calkins is not a reference on which a proper rejection can be based.

Since the primary reference Calkins is not available as a reference upon which a rejection can be based, the rejection based on a combination of Calkins in view of Juriga (U.S. 5,536,556) and Calkins in view of Juriga and McDermott, III et al. (U.S. 5,120,587) must fail.

The Declaration prepared for signature of Elizabeth Flores is submitted unexecuted. An executed copy of the Declaration will be submitted as soon as work schedules permit.

In view of the Declaration of Elizabeth Flores and the above discussion, Applicants request favorable reconsideration and allowance of the application.

Respectfully submitted,



Daniel S. Ortiz
(Reg. No. 25,123)
Attorney For Applicant
(610) 278-4934

Henkel Corporation
Law Department
2200 Renaissance Blvd.
Gulph Mills, PA 91406